

**Federal Communications Commission**

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**Before the  
Federal Communications Commission  
Washington, D.C. 20554**

In the Matter of	)	
	)	
Regulation of Business Data Services for Rate-of- Return Local Exchange Carriers	)	WC Docket No. 17-144
	)	
Business Data Services in an Internet Protocol Environment	)	WC Docket No. 16-143
	)	
Special Access for Price Cap Local Exchange Carriers	)	WC Docket No. 05-25
	)	

**ERRATUM**

**Released: December 11, 2018**

By the Chief, Wireline Competition Bureau:

On October 24, 2018, the Commission released a *Report and Order, Second Further Notice of Proposed Rulemaking and Further Notice of Proposed Rulemaking (Order)*, FCC 18-146, in the above-captioned proceedings. Appendix A to the *Order* included two inaccurate references to section 1.1409 of the Commission’s rules. In connection with a *Report and Order* released on July 18, 2018, in a different proceeding, the Commission renumbered section 1.1409 as section 1.1406 and modified and renumbered some subsections therein.<sup>1</sup> In the process, what had been section 1.1409(g) was deleted inadvertently. To effectuate the Commission’s clear intent to amend its rules to allow rate-of-return carriers that elect the light touch regulatory framework provided for in the *Order*, as well as price cap carriers to use GAAP accounting, as set forth in the *Order*, this Erratum amends Appendix A to the *Order* as indicated below:

1. Paragraph 1 is corrected to read as follows:

“Section 1.1406 is amended by adding paragraph (e) to read as follows:

**§ 1.1406 Commission consideration of the complaint.**

\* \* \* \* \*

(e) A price cap company, or a rate-of-return carrier electing to provide service pursuant to § 61.50 of this chapter, that opts-out of Part 32 may calculate attachment rates for its poles, ducts, conduits, and rights of way using either Part 32 accounting data or GAAP accounting data. A company using GAAP accounting data to compute rates to attach to its poles, ducts, conduits, and rights of way in any of the first twelve years after opting-out must adjust (increase or decrease) its annually computed GAAP-based rates by an Implementation Rate Difference for each of the remaining years in the period. The Implementation Rate Difference means the difference between attachment rates calculated by the company under Part 32 and under GAAP as of the last full year preceding the company’s initial opting-out of Part 32 USOA accounting requirements.”

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<sup>1</sup> See Appendix, *Amendment of Procedural Rules Governing Formal Complaint Proceedings Delegated to the Enforcement Bureau*, Report and Order, FCC 18-96 (July 18, 2018) (*Report and Order*).

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2. Paragraph 2, in section 32.11(g), replace “section 1.1409(g)” with “section 1.1406(e).”.

FEDERAL COMMUNICATIONS COMMISSION

Kris Anne Monteith  
Chief  
Wireline Competition Bureau